

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

ROBERT DENONCOUR,
Plaintiff,

v.

127 ROUND HOUSE ROAD, LLC,
Defendant.

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File No. 1:06-CV-126

ORDER
(Paper 17)

The Magistrate Judge's Report and Recommendation, recommending denial of defendant's motion to dismiss (Paper 12), was filed November 8, 2006. After de novo review and upon consideration of Defendant's Objection to Magistrate's Report and Recommendation and Withdrawal of Motion to Dismiss (Paper 18), the Court finds the Report and Recommendation and any objection opaquely raised by the defendant are DENIED as moot.

The parties shall file a Stipulated Discovery Schedule/Order on or before January 8, 2007.

This case is referred to Magistrate Judge Jerome J. Niedermeier for the following purpose:

1. To hear, report and recommend on any motion authorized by 28 U.S.C. § 636(b)(1)(B); and
2. To hear and determine any pretrial matter which may be authorized pursuant to 28 U.S.C. § 636(b)(1)(A), or which may be stipulated to by the parties.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 7th day of December, 2006.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge